

KK2/ek4 7/7/2016



FILED
7-07-16
02:45 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Diego for Authority to modify the Park Boulevard At-Grade Crossing of three light rail vehicle tracks of the Metropolitan Transit System and two heavy rail tracks of the BNSF Railway Company in the City of San Diego, County of San Diego, California.

Application 14-12-003
(Filed December 3, 2014)

**E-MAIL RULING GRANTING UNOPPOSED CONTINUANCE REQUEST
REGARDING PREHEARING CONFERENCE FOR APPLICATION 14-12-003
BY THE CITY OF SAN DIEGO (PARK BLVD. AT-GRADE CROSSING)**

Dated July 7, 2016, at San Francisco, California.

/s/ KIMBERLY H. KIM

Kimberly H. Kim
Administrative Law Judge

From: Kim, Kimberly

Sent: Thursday, July 07, 2016 10:27 AM

To: Berdge, Patrick S.; Garabetian, Antranig G.; Schumacher, Kevin; Robertson, Michael; Malashenko, Elizaveta I.; Laya, Virginia; Gilbert, Daren S.; 'Sutherlin@civicsd.com'; 'grahamd@sandiego.gov'; 'Jason.Sanchez@bnsf.com'; 'JDF@FSSLawFirm.com'; AppRhg

Cc: Hoang, Ann T.; Noelle Murray; Wong, Lester; Gonzalez, Ana M.; ALJ Docket Office; ALJ Process; ALJ_Support ID

Subject: Email Ruling Granting Unopposed Continuance Request re Prehearing Conference for Application 14-12-003 by the City of San Diego (Park Blvd. At-Grade Crossing)

Attention All Parties, Counsel and the Docket office:

Upon further consideration and conferring with the assigned Commissioner's office, the below unopposed request for a short continuance of the prehearing conference scheduled for July 8, 2016 is granted.

Effective immediately, the prehearing conference currently set for July 8, 2016 is off-calendared and continued to July 18, 2016 at 10 a.m. at the Commission hearing room in California Public Utilities Commission headquarters located at 505 Van Ness Avenue, San Francisco.

Docket Office shall formally file this ruling.

Kimberly H. Kim, Esq.

Administrative Law Judge

California Public Utilities Commission

505 Van Ness Avenue, # 5117

San Francisco, CA 94102

kk2@cpuc.ca.gov

(415) 703-1558 (phone)

(415) 703-1723 (fax)

-----Original Message-----

From: Kim, Kimberly

Sent: Wednesday, July 06, 2016 12:08 PM

To: Berdge, Patrick S.; Jacob D. Flesher

Cc: Hoang, Ann T.; Noelle Murray; Schumacher, Kevin; AppRhg;

Garabetian, Antranig G.; Gilbert, Daren S.; Laya, Virginia;

Malashenko, Elizaveta I.; Robertson, Michael

Subject: RE: Application of the City of San Diego (Park Blvd. At-Grade Crossing) Prehearing Conference (A.14-12-003)

To all parties and counsel.

Is BNSF Railway party in this proceeding? If not, I am not inclined to continue this preheating conference at this late juncture when it is likely that many of the parties and counsel have already made travel plans.

I will confer with the assigned commissioner's office and rule as soon as possible.

Unless a ruling continuing the preheating conference is issued tomorrow by noon, parties and counsel must assume the preheating conference as scheduled will proceed on July 8th.

ALJ Kim

From: Berdge, Patrick S.
Sent: Wednesday, July 06, 2016 11:45 AM
To: Jacob D. Flesher
Cc: Kim, Kimberly; Hoang, Ann T.; Noelle Murray; Schumacher, Kevin; AppRhg; Garabetian, Antranig G.; Gilbert, Daren S.; Laya, Virginia; Malashenko, Elizaveta I.; Robertson, Michael
Subject: Re: Application of the City of San Diego (Park Blvd. At-Grade Crossing) Prehearing Conference (A.14-12-003)

SED does not oppose the request for continuance.

Patrick S. Berdge

On Jul 5, 2016, at 3:23 PM, Jacob D. Flesher
<jdf@fsslawfirm.com<<mailto:jdf@fsslawfirm.com>>> wrote:

Dear Judge Kim,

I have been retained by BNSF Railway Company regarding the Notice of Prehearing Conference scheduled for July 8, 2016. We believe BNSF may have an interest in any proposed modifications to the crossing.

My client received the Notice of Prehearing Conference on July 1, 2016. They are asking for a brief continuance so that they may obtain the information, evaluate the issues, and be prepared to address them if needed. In addition, I have another matter out of state that I am scheduled to attend on July 8th.

Please let me know if you are willing to continue this matter. I appreciate your consideration. Please do not hesitate to contact me with any questions or concerns. Jake

Jacob D. Flesher
Flesher Schaff & Schroeder, Inc.
2202 Plaza Drive
Rocklin, CA 95765
916-672-6558 telephone
916-672-6602 facsimile

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